

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

PURDUE PHARMA L.P., *et al.*,

Debtors.¹

PURDUE PHARMA L.P., *et al.*,

Plaintiffs,

v.

COMMONWEALTH OF MASSACHUSETTS, *et al.*,

Defendants.

Chapter 11

Case No. 19-23649 (SHL)

(Jointly Administered)

**Adv. Pro. No. 19-08289
(SHL)**

**STATE OF MARYLAND'S STATEMENT OF ISSUES
AND DESIGNATION OF RECORD ON APPEAL**

Pursuant to Rule 8009 of the Federal Rules of Bankruptcy Procedure, Appellant, the State of Maryland ("Maryland") hereby files its statement of issues on appeal and designations of record. *See* Notice of Appeal Thirty-Seventh Amended Order Pursuant to 11 U.S.C. § 105(a) Granting Motion for a Preliminary Injunction (September 12, 2024), *Purdue Pharma, L.P., v. Commonwealth of Massachusetts*, [Adv. Docket No. 535]; Amended Notice of Appeal (Thirty-Seventh and Thirty-Eighth Amended Orders Pursuant to 11 U.S.C. § 105(a) Granting Motion for a Preliminary Injunction) (October 11, 2024) [Adv. Docket No. 563];

¹ The Debtors in these cases, along with the last four digits of each Debtor's registration number in the applicable jurisdiction, are as follows: Purdue Pharma L.P. (7484), Purdue Pharma Inc. (7486), Purdue Transdermal Technologies L.P. (1868), Purdue Pharma Manufacturing L.P. (3821), Purdue Pharmaceuticals L.P. (0034), Imbrium Therapeutics L.P. (8810), Adlon Therapeutics L.P. (6745), Greenfield BioVentures L.P. (6150), Seven Seas Hill Corp. (4591), Ophir Green Corp. (4594), Purdue Pharma of Puerto Rico (3925), Purdue Products L.P. (4140), Purdue Pharmaceutical Products L.P. (3902), Purdue Neuroscience Company (4712), Nayatt Cove Lifescience Inc. (7805), Button Land L.P. (7502), Rhodes Associates L.P. (N/A), Paul Land Inc. (7425), Quidnick and L.P. (7584), Rhodes Pharmaceuticals L.P. (6166), Rhodes Technologies (7143), UDF LP (0495), SVC Pharma LP (5717), and SVC Pharma Inc. (4014). The Debtors' corporate headquarters is located at One Stamford Forum, 201 Tresser Boulevard, Stamford, CT 06901.

I. Issues on Appeal:

1. Whether the bankruptcy court erred in determining it had authority to continue the preliminary injunction enjoining litigation against the Appellees' non-debtor Related Parties (including members of the Sackler families and their affiliates and trusts) following the Supreme Court's ruling in *Harrington v. Purdue Pharma, L.P.*, 144 S. Ct. 2071 (2024)?
2. If the bankruptcy court had authority to continue the preliminary injunction, whether the bankruptcy court abused its discretion in so doing?

II. Designations for Record on Appeal

Adversary Docket No.	Date Filed	Title
2	9/18/2019	Motion for Preliminary Injunction
105	11/06/2019	Second Amended Order Pursuant to 11 U.S.C. § 105(a) Granting Motion for a Preliminary Injunction.
115	11/20/2019	Third Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction
126	12/09/2019	Fourth Amended Order Pursuant to 11 U.S.C. § 105(a) Granting for Preliminary Injunction
132	01/02/2020	Fifth Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction
139	02/17/2020	Sixth Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction
145	03/04/2020	Seventh Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction
146	03/04/2020	Motion to Extend Preliminary Injunction
168	03/30/2020	Eighth Amended Order Pursuant to 11 U.S.C. § 105(a) Granting Motion for a Preliminary Injunction
175	04/14/2020	Ninth Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction
185	05/18/2020	Tenth Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction
190	07/20/2020	Eleventh Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction

194	08/31/2020	Twelfth Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction
197	09/16/2020	Motion to Extend the Preliminary Injunction
208	10/01/2020	Thirteenth Amended Order Pursuant to 11 U.S.C. § 105(a) Granting Motion for a Preliminary Injunction
214	10/30/2020	Fourteenth Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction
219	02/14/2021	Motion to Extend Preliminary Injunction
224	03/01/2021	Fifteenth Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction
227	03/12/2021	Motion to Extend the Preliminary Injunction
241	03/26/2021	Sixteenth Amended Order Pursuant to 11 U.S.C. § 105(a) Granting Motion for a Preliminary Injunction
245	04/07/2021	Motion to Extend the Preliminary Injunction
254	04/22/2021	Seventeenth Amended Order Pursuant to 11 U.S.C. §105(a) Granting a Motion for a Preliminary Injunction
258	05/06/2021	Motion to Extend Preliminary Injunction
264	05/24/2021	Eighteenth Amended Order Pursuant to 11 U.S.C. § 105(a) Granting Motion for a Preliminary Injunction
269	06/02/2021	Motion to Extend the Preliminary Injunction
274	06/17/2021	Nineteenth Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction
286	08/30/2021	Twentieth Amended Order Pursuant to 11 U.S.C. § 105(a) Granting Motion for a Preliminary Injunction
287	09/02/2021	Twenty-First Amended Order Pursuant to 11 U.S.C. § 105(a) Granting Motion for a Preliminary Injunction
291	09/21/2021	Twenty-Second Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction
303	12/20/2021	Motion to Extend the Preliminary Injunction
314	01/03/2022	Twenty-Third Amended Order Pursuant to 11 U.S.C. § 105(a) Granting Motion for a Preliminary Injunction
317	01/18/2022	Motion to Extend the Preliminary Injunction
323	02/01/2022	Twenty-Fourth Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction
324	02/03/2022	Motion to Extend the Preliminary Injunction

331	02/16/2022	Motion to Extend Time/Motion to Extend the Preliminary Injunction
333	02/17/2022	Twenty-Fifth Amended Order Pursuant to 11 U.S.C. § 105(a) Granting Motion for a Preliminary Injunction.
338	03/02/2022	Twenty-Sixth Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction
344	03/10/2022	Motion to Extend the Preliminary Injunction
349	03/23/2022	Twenty-Seventh Amended Order Pursuant to 11 U.S.C. § 105(a) Granting Motion for a Preliminary Injunction
353	04/13/2022	Motion to Extend Time/ Motion to Extend the Preliminary Injunction
356	04/29/2022	Twenty-Eighth Amended Order Pursuant to 11 U.S.C. § 105(a) Granting Motion for a Preliminary Injunction
379	08/19/2022	Twenty-Ninth Amended Order Pursuant to 11 U.S.C. § 105(a) Granting Motion for a Preliminary Injunction
391	10/04/2022	Thirtieth Amended Order Pursuant to 11 U.S.C. §105(a) Granting a Motion for a Preliminary Injunction
400	12/05/2022	Thirty-First Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction
410	02/07/2023	Thirty-Second Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction
421	06/15/2023	Motion to Extend Time/ Motion to Extend the Preliminary Injunction
432	07/12/2023	Thirty-Third Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction
457	12/19/2023	Notice of Proposed Order/Notice of Filing of Proposed Thirty-Fourth Amended Preliminary Injunction Order
460	01/23/2024	Thirty-Fourth Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction
479	05/22/2024	Notice of Proposed Order/Notice of Filing of Revised Proposed Thirty-Fifth Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction
484	05/31/2024	Thirty-Fifth Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for A Preliminary Injunction
489	06/27/2024	Motion to Authorize/Motion to Extend the Preliminary Injunction

490	06/28/2024	Memorandum of Law in Support of Motion to Extend Preliminary Injunction to Facilitate Mediation
492	06/28/2024	Order Shortening Notice With Respect To Debtors' Motion to Extend the Preliminary Injunction
493	07/01/2024	Statement in Response to Debtors' Motion to Extend the Preliminary Injunction to Facilitate Mediation
499	07/05/2024	Reservation of Rights of Certain Canadian Municipal Creditors and Certain Canadian First Nations Creditors to Debtors' Motion to Extend the Preliminary Injunction, and Request to be Included within Proposed Mediation
500	07/05/2024	Motion to Dismiss Adversary Proceeding (Count Two Only)
502	07/08/2024	Reply to Motion Reply Memorandum in Further Support of Motion to Extend the Preliminary Injunction and Facilitate Mediation
503	07/08/2024	Response to Debtors' Motion to Extend the Preliminary Injunction
506	07/10/2024	Thirty-Sixth Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction
511	07/26/2024	Transcript regarding Hearing Held on 07/09/2024 at 2:14 PM RE: Motion to Extend Preliminary Injunction
512	08/23/2024	Motion to Extend Time/Motion to (I) Extend the Mediation; (II) Extend the Preliminary Injunction and Associated Deadlines Including Tolling; and (III) Extend Schedule for the Standing Motion
513	08/23/2024	Memorandum of Law in Support of Motion to (I) Extend the Mediation; (II) Extend the Preliminary Injunction and Associated Deadlines Including Tolling; and (III) Extend Schedule for the Standing Motion
514	08/23/2024	Motion to Shorten Time/Debtors' Ex Parte Motion for Entry of an Order Shortening Notice for Debtors' Motion to (I) Extend the Mediation; (II) Extend the Preliminary Injunction and Associated Deadlines Including Tolling; and (II) Extend Schedule for the Standing Motion
515	08/27/2024	Order Shortening Notice With Respect to Debtors' Motion To (I) Extend the Mediation; (II) Extend the Preliminary Injunction and Associated Deadlines Including Tolling; and (III) Extend Schedule for the Standing Motion
517	08/30/2024	Nassau County, NY's Objection to the Debtors' Motion to (I) Extend the Mediation; (II) Extend the Preliminary Injunction and Associated Deadlines Including Tolling; and (III) Extend Schedule for the Standing Motion

519	08/30/2024	Opposition Joinder of Canadian Creditor City of Toronto to the Objection of the County of Nassau
520	08/30/2024	Response to Motion to Extend Injunction and Mediation
521	08/30/2024	Limited Objection and Joinder of Creditor/Plaintiff Lac La Ronge Indian Band, and the Certain Canadian Municipal and First Nations Creditors, to Entry of an Order Extending the Preliminary Injunction
522	08/30/2024	Objection to Motion to Extend Preliminary Injunction
525	09/03/2024	Reply to Motion/Reply Memorandum in Further Support of Motion to (I) Extend the Mediation; (II) Extend the Preliminary Injunction and Associated Deadlines including Tolling; and (III) Extend the Schedule for Standing Motion
526	09/03/2024	Statement/ The Ad Hoc Committee's Statement in Support of the Debtors' Motion to (I) Extend the Mediation, (II) Extend the Preliminary Injunction, and (III) Extend the Standing Motion
527	09/03/2024	Statement/The Official Committee of Unsecured Creditors Statement in Support of Debtors Motion to (I) Extend the Mediation; (II) Extend the Preliminary Injunction and Associated Deadlines Including Tolling; and (III) Extend Schedule for the Standing Motion
533	09/06/2024	Thirty-Seventh Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction
534	09/10/2024	Transcript regarding Hearing Held on 9/5/2024 at 11:10 AM RE: Motion to Extend Time/Motion to (I) Extend the Mediation; (II) Extend the Preliminary Injunction and Associated Deadlines Including Tolling; and (III) Extend Schedule for the Standing Motion.
535	09/12/2024	Notice of Appeal Thirty-Seventh Amended Order Pursuant to 11 U.S.C. § 105(a) Granting Motion for a Preliminary Injunction
536	09/13/2024	Motion to Extend Time/Motion to (I) Extend Mediation; (II) Extend the Preliminary Injunction Associated Deadlines Including Tolling; and (III) Extend Schedule for the Standing Motion
537	09/13/2024	Motion to Extend Time/Motion to (I) Extend the Mediation; (II) Extend the Preliminary Injunction and Associated Deadlines Including Tolling; and (III) Extend Schedule for Standing Motion (with attachments)
538	09/13/2024	Memorandum of Law in Support to (I) Extend the Mediation; (II) Extend the Preliminary Injunction and Associated Deadlines Including Tolling; and (III) Extend the Schedule for the Standing Motion
539	09/13/2024	Motion to Shorten Time/Debtors' Ex Parte Motion for Entry of an Order Shortening Notice for Debtors' Motion to (I)

		Extend the Mediation; (II) Extend the Preliminary Injunction and Associated Deadlines Including Tolling and (III) Extend Schedule for Standing Motion
540	09/16/2024	Order Shortening Notice with Respect to Debtors' Motion to (I) Extend the Mediation; (II) Extend the Preliminary Injunction and Associated Deadlines Including Tolling; and (III) Extend Schedule for the Standing Motion
543	09/19/2024	Objection to Motion/ Nassau County's NY's Objection to Debtors' Motion to (I) Extend the Mediation; (II) Extend the Preliminary Injunction and Associated Deadlines Including Tolling; and (III) Extend Schedule for the Standing Motion
544	09/20/2024	Objection to Motion/ Objection of the State of Washington to Motion for Injunction
545	09/20/2024	The State of Maryland's Renewed Limited Objection to Debtors' Motion to (I) Extend the Mediation; (II) Extend the Preliminary Injunction and Associated Deadlines including Tolling; and (III) Extend Schedule for the Standing Motion
547	09/20/2024	Response to Motion of Debtors to Extend the Preliminary Injunction
548	09/20/2024	Objection to Motion/State of Rhode Island's Limited Objection to Debtors' Motion to (I) Extend the Mediation; (II) Extend the Preliminary Injunction and Associated Deadlines Including Tolling; and (III) Extend Schedule for the Standing Motion
549	09/20/2024	Statement of the Plaintiffs Executive Committee Concerning Debtors' Motion to (I) Extend the Mediation; (II) Extend the Preliminary Injunction and Associated Deadlines Including Tolling; and (III) Extend Schedule for the Standing Motion
550	09/22/2024	Reply Motion to (I) Extend the Mediation; (II) Extend the Preliminary Injunction and Associated Deadlines Including Tolling; and (III) Extend Schedule for the Standing Motion
551	09/22/2024	Statement/ The Official Committee of Unsecured Creditors Statement in Support of the Relief Requested in the Debtors' Motion to (I) Extend the Mediation; (II) Extend the Preliminary Injunction and Associated Deadlines Including Tolling; and (III) Extend Schedule for the Standing Motion
552	09/22/2024	Statement in Support of the Motion to (I) Extend the Mediation; (II) Extend the Preliminary Injunction and Associated Deadlines Including Tolling; and (III) Extend Schedule for the Standing Motion
553	09/22/2024	Motion to Allow/ Motion to Correct the Statement of the Plaintiffs Executive Committee Concerning Debtors' Motion to (I) Extend the Mediation; (II) Extend the

		Preliminary Injunction and Associated Deadlines Including Tolling; and (III) Extend Schedule for the Standing Motion
557	09/27/2024	Thirty-Eighth Amended Order Pursuant to 11 U.S.C. §105(a) Granting Motion for a Preliminary Injunction
560	10/03/2024	Transcript regarding Hearing Held on 09/23/2024 at 2:06 PM RE: Motion to (I) Extend the Mediation; Etc.

Dated: October 11, 2024

Respectfully submitted,

ANTHONY G. BROWN
Attorney General of Maryland

/s/ Brian T. Edmunds
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CERTIFICATE OF SERVICE

I, Brian T. Edmunds, hereby certify that on this 11th day of October 2024, I caused the foregoing State of Maryland's Statement of Issues and Designation of Record on Appeal to be served by this Court's CM/ECF System on all parties who are scheduled to receive notice through the Court's CM/ECF system.

/s/ Brian T. Edmunds
BRIAN T. EDMUNDS